

Serial No. 10/750,189

REMARKS

1. Drawings.

5

37 C.F.R. § 1.83(a). The Examiner objects to the drawings for failure to show various features specified in the claims.

10

Fixation sites. The fixation sites are shown in Figures 1 and 5. In the figures, there are a series of holes in the side of the frames, designated by numeric designator (11) in Figure 1. These holes match the holes (24) shown in Figures 2-4. Accordingly, the plurality of fixation sites is clearly shown in the figures.

15

Standard interconnection means. The holes shown in Figures 1 through 5 provide fixation sites. The fixation can occur through standard means, which are known to those skilled in the art, such as by use of screws or bolts. The specification refers to "mounting pins that secure each module mounted on the frame." Accordingly, this element of the claim is shown in the figures.

20

Service trough. This element of the invention is set forth in Claim 2. Because Applicant has cancelled Claim 2 with the present submission, this objection is moot.

25

Dedicated path. Figure 8 shows a truck and a module and an interconnection there between, for example, via Internet or video over twisted pair, which constitute dedicated paths about the platform for effecting individual control over the modules. Accordingly, this limitation of the claims is depicted in the figures.

30

Plurality of custom interfaces. Figure 8 shows a computer console (88), the console display, toggle switches, and the like. These items constitute a plurality of custom interfaces, for example, for any of contact closures, lighting, power control, and interface to computers. Accordingly, this limitation of the claims is shown in the figures.

35

Means for recognizing a module's personality and location. This claim limitation is presented in Claim 6. Claim 6 is amended by this submission, to cancel therefrom the limitation with regard to "location." With regard to a module's "personality," reference is made to at least Fig. 8, which shows a "module" coupled via an Ethernet connection to a "truck." The truck includes a "vehicle computer" 90. In the specification, starting at page 3, line 33, Applicant describes the "computer." The module's "personality" is discussed on page 4, line 8-12. See, also, page 9, lines 5-27. Accordingly, this limitation of the Claims is shown in the figures.

Page 2 of 10

Serial No. 10/750,189

A plurality of specialized operator stations. This claim limitation is set forth in Claim 7. With this submission, Claim 7 is cancelled and, therefore, this objection is moot.

- 5 37 C.F.R. § 1.84(b)(5). Reference signs 80, 81, and 82 are shown in Figure 7. Accordingly, this objection is deemed to be moot.

With regard to the reference characters not matching the description, Applicant inadvertently failed to include a replacement description with Applicant's prior submission. Such
10 replacement description accompanies this submission and includes all the reference characters identified by the Examiner at paragraph 4 of the Office Action.

2. Specification.

- The Examiner indicates that he believes there is a repeated sentence on Page 8, Lines 8-10.
15 However, the sentence is not repeated. One sentence refers to "Type I" and another sentence refers to "Type II." Accordingly, the Specification is correct as currently presented.

3. 35 U.S.C. § 112.

- Applicant has amended Claim 6 to address the Examiner rejection. Accordingly, the rejection
20 of Claim 6 under 35 U.S.C. § 112 is deemed moot.

Applicant has cancelled Claim 17. Accordingly, the rejection thereof is deemed moot.

- The cancellation of claims by Applicant herein should not be taken to be a concession, tacit or
25 otherwise, that the Applicant concurs with the Examiner in the rejection or that the Applicant concedes that there is any merit to these rejections. Applicant has cancelled these claims for purposes of expediency, to reduce the number of issues outstanding with regard to obtaining an allowance of the application. Applicant expressly reserves the right to present claims of similar scope and comprising similar subject matter at a latter time and in a further proceeding
30 of the Applicant's choosing.

4. 35 U.S.C. § 103.

- Applicant notes with thanks that the Examiner has withdrawn the rejection under 35 U.S.C. §
102. In the present Office Action, Claims 1-8 and 14-18 are rejected under 35 U.S.C. § 103 as
35 being unpatentable over Kempen, *et al*, in view of Glatzmeier, *et al*.

Applicant respectfully disagrees.

Serial No. 10/750,189

Kempen. Applicant discussed Kempen at some length in Applicant's previous submission. The Examiner appears to acknowledge, at least in part, the merits of Applicant's arguments, and in view of them, has withdrawn the rejection under 35 U.S.C. § 102. Accordingly, Applicant's comments will focus primarily on Glatzmeier.

5

The Examiner relies on Glatzmeier, column 1, lines 20-28 for the proposition that it would be possible to "provide rapid and free assembly of variously fitted equipment cabs... due to rapidly changing conditions of use." Here the Examiner appears to be relying not so much on Glatzmeier as on German Patent DE-C-35 17 290, which Glatzmeier characterizes as teaching the state of the art. The German patent referenced by Glatzmeier has a U.S. counterpart, *i.e.*, USPN 4,830,421. In this regard, Glatzmeier appears to mischaracterize the state of the art upon which the Examiner's rejection is based. The modules cited in the German reference are inert equipment racks fitted into the body of the vehicle, which can be changed out for other racks. The racks are not affixed to a platform and are not sized as a standardized fraction of the platform. There are no electrical or fluid interconnections to these racks. The attachment mechanism is entirely in the fixed body of the vehicle, attaching to pins or an axle on each module. There is no mention of automatic identification of the modules.

In contrast, Applicant claims modules that are not fitted into the body of the vehicle, but that together comprise the body of the vehicle. There is no indication in the German reference that the body itself is changeable or modular. Rather, the only teaching in the reference is that equipment racks may be fitted to a body. When Glatzmeier is properly construed in view of the teachings of the reference cited by Glatzmeier, it appears that Glatzmeier is irrelevant to the invention as claimed. Accordingly, only Kempen remains as a reference that is of some relevance to the invention. However, as pointed out in Applicant's previous response, Kempen is only concerned with single-module vehicles. The Examiner acknowledges that Kempen does "not disclose said fixation sites defining fractional locations along an overall platform extent, wherein said platform receives a plurality of said modules, wherein said modules have an extent that is equal to, or that is a fraction of, said platform extent, and wherein any number of modules having a total, combined extent that is less than or equal to the extent of said platform may be attached to said platform at any given time." Because this is not taught by Glatzmeier, based upon further review of the German reference upon which Glatzmeier has based his statements, there is no teaching of this aspect to the claimed invention. Lacking a teaching of each and every element of the claimed invention in the proposed combination of references, there is no *prima facie* showing of obviousness. Accordingly, Applicant's claims are deemed to be in allowable condition and early Notice of Allowance is respectfully requested.

5:

Serial No. 10/750,189

The various other rejections of Applicant's dependent claims, based on art, are deemed moot in view of the allowability of Applicant's base claims.

Should the Examiner deem it helpful, he is encouraged to contact Applicant's attorney, Michael
5 A. Glenn, at (650) 474-8400.

Respectfully submitted,



10

Michael A. Glenn
Reg. No. 30,176

Customer No. 22862